

REMARKS

Claims 1-46 are pending in this application. All of the claims were rejected. Claims 1, 10, 20, 30, 37 and 42 are currently amended. Reconsideration is respectfully requested.

Independent claims 1, 10, 20, 30, 37 and 42 were rejected under §102(e) as being anticipated by Lee. In reply to the arguments regarding Lee presented in the Response filed February 23, 2006, the Office states that the "Examiner broadly interprets APa to be the second access and the back end device and therefore Lee meets the scope of the claimed limitation 'saving state information relating to the communication session connectivity between the terminal device and the second wireless access point in a back end device operatively connected with each of the access point devices.'"¹ While Applicant cannot understand how the Office could interpret that claims in that way, Applicant is willing to add claim language to emphasize that the back end device is distinct from the access points if that will facilitate allowance of the claims. Several unsuccessful attempts have been made to contact the Examiner by phone to discuss what language would be suitable. Applicant has therefore amended the claims in a manner which Applicant believes should satisfy the Examiner that the back end device is not one of the two access points, the reasons for which are self-evident from the claims. Withdrawal of the rejections of claims 1, 10, 20, 30, 37 and 42 based on Lee is therefore requested. Claims 2-8, 11-19, 21-29, 31-33, 36, 38-41 and 43-46 are dependent claims which further distinguish the invention, and which are allowable for the same reasons as their respective base claims. Withdrawal of the rejections of those dependent claims is therefore also requested.

¹ at Page 10, first paragraph of the Office Action dated 03/22/2006

Applicants have made a diligent effort to explain why the claims are in condition for allowance. The Office is encouraged to telephone Holmes W. Anderson, Applicants' Attorney, at 978-264-4001 (X2338) to discuss any issues which might facilitate allowance of this application.

Respectfully Submitted,

December 8, 2008
Date

/Holmes W. Anderson/
Holmes Anderson, Reg. No. 37,272
Attorney/Agent for Applicant(s)
Anderson Gorecki & Manaras LLP
33 Nagog Park
Acton, MA 01720
(978) 264-4001

Docket No. 120-201